

CLASSIFICATION OFFICE DECISION

Title of publication: Photograph 1

Other known title(s): Exhibit Reference GH-07

OFLC ref: 1900050.000

Medium: Photograph

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 09 April 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 09 April 2019

Summary of reasons for decision:

The publication is a soft-focus photo of a partially naked female, taken from behind her. Images of young persons who are nude or partially nude, and can be reasonably regarded as sexual in nature, fall within the ambit of matters of sex under s3(1) of the Films, Videos, and Publications Classification Act 1993. However in this case the age of the subject of this image is unclear; she may be a teenager or she may be a young adult. Even if she is a young person, the image is not overtly sexual and the level of exploitation of her nudity is low. A restricted classification or ban would be unreasonable. The publication is therefore classified as unrestricted. This classification does not limit the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.